

TOWN OF



PLAINVILLE

ONE CENTRAL SQUARE, PLAINVILLE, CONNECTICUT 06062-1955

Robert E. Lee
Town Manager
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February 23, 2009

Senator Eric Coleman
Co-Chairman
Planning & Development Committee
Room 2100, Legislative Office Building
Hartford, Connecticut 06106

Representative Brendan Sharkey
Co-Chairman
Planning & Development Committee
Room 2100, Legislative Office Building
Hartford, Connecticut 06106

RE: Evicted Tenant Mandate

Dear Senator Coleman and Representative Sharkey:

I am here today to urge the Planning & Development Committee to favorably consider the passage of Senate Bill 373 or any of its sister bills including House Bill 5538 or House Bill 5871. The passage of any of these bills would eliminate the mandate that require municipalities to remove and store possessions of evicted residential tenants. Both the Council of Small Towns (COST) and the Ct Conference of Municipalities (CCM) have targeted this mandate as a priority for repeal.

This mandate is a burden that involves time and money. These are two items that are in short supply in Plainville and in many of our communities around the State.

Plainville is served an average of twenty eviction notices a year. This requires someone from my office to coordinate the anticipated eviction, generally on very short notice. The Town then contacts a moving company and arrangements are made with the roadways department to let the movers into our locked facilities at the appointed time. We are occasionally notified if an eviction gets cancelled, however, those notifications are few and far between and many times the State Marshall does not know if the evicted parties have moved out until they get to the home or apartment that morning. Meanwhile Town Staff sits and waits.

Plainville actually takes possessions of evicted tenants' property about half the time or ten times a year. In those instances, the Town pays the moving company an average of \$335 per eviction. In the last two years Plainville has received reimbursement an average of one in ten evictions.

The possessions are stored in a locked area at the Roadways garage and in addition to letting the movers into this area, Public Work's staff is required to open the gate and unlock the storage facility for the evicted party coming to collect their goods. Staff remains at this facility until the person is finished to ensure that they only remove their possessions. Almost every move has required multiple trips so Town staff waits until they return and continues to wait

until they are completely done. In many instances, the evicted party does not show up when they say they would and do not call us to let us know – wasting more time.

Occasionally, the Town storage area gets full. In those instances Plainville has an arrangement with a private storage facility and incurs additional contracted costs of \$110 per month. This charge is not pro-rated. It matters not whether the possessions are in that facility for three days or thirty days. The agreement with the storage company require Town staff to be present when evicted goods are being placed in or removed from the facility.

The Town is also responsible for the disposal of all unclaimed household goods. Believe it or not, seventy five percent of the time, the evicted tenant does not reclaim their property. There are primarily two reasons for this. One, they have already taken their property and what is left has little or no value. They have no intention of ever returning to recover what is essentially junk. The second reason is that they have nowhere to put it anyhow. And after the required time period, the Town staff takes the junk/possessions and throws it in the dumpster.

I would also like to point out that, of the twenty five percent of the evicted tenants who actually reclaim their possessions, most do not have the money to repay the Town for the costs that were incurred. In those instances, we give them their possessions if they “promise” to repay the Town at a later date. Needless to say – that “promise” goes broken the great majority of the time.

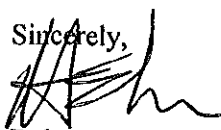
The sad fact is that the system simply does not work and the local taxpayers end up footing the bill. In addition many hours of Town staff time are spent administering this process. Plainville may have to lay-off people this year as a result of our efforts to hold the line on tax increases. We do not have the ability to continue to administer a system that simply does not work.

In the end, the eviction process is a relatively long one. It should come as no surprise to the tenant that the day is coming when they will be required to move out of someone else’s property. They need to take responsibility themselves for their possessions. It is time to eliminate this costly mandate and do it quickly.

I would also like to make a brief comment regarding the myriad of proposed bills that would require a two-thirds majority of the General Assembly to pass an unfunded mandate onto the cities and towns. Very simply put, it should not be an easy process to impose mandates that makes someone else figure out how to pay for it. This cycle of “solving a problem” and passing the cost onto the cities and towns simply must stop or, at the very least, be a more difficult process to enact.

Thank you for your consideration of my remarks, and I wish you well with your deliberations of the many bills that are in front of you this year.

Sincerely,

A handwritten signature in black ink, appearing to read 'Robert E. Lee', written over the word 'Sincerely,'.

Robert E. Lee
Town Manager

cc: Town Council